<u>Certification Under 37 C.F.R. \$1.8</u> Date of Mailing or Transmission: 11-17-2008

I hereby certify that I have caused the document indicated herein on the date indicated above to be transmitted via the Office Electronic Filing System (EFS) in accordance with 37 C.F.R. §1.6(a)(4).

/SXShort/ Reg. No. 45,105 Shayne X. Short, Ph.D., Reg. No. 45,105

PATENT APPLICATION IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

| Application Serial No: 10/736,434 | Attorney Docket No: BP2784 |
|---|---------------------------------------|
| Application Filing Date : 12-15-2003 | Inventor(s): Alan Y. Kwentus, Charles |
| Examiner: HOLDER, ANNER N | Alan Brooks, Steven Jaffe, Stephen |
| | Edward |
| Art Group: 2621 | Patent No: n/a |
| Confirmation No: 3430 | Patent Issue Date: n/a |
| Title : Communications signal transcoder | |

Date: 11-17-2008

Mail Stop <u>AMENDMENT</u> Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

In response to a non-final office action mailed on 10-15-2008 (Part of Paper No./Mail Date 20081008) regarding the above-identified U.S. utility patent application, the Applicant respectfully submits the following amendment/response that is being filed within one (1) month of the mailing date thereof.

The <u>one (1) month</u> due date for responding to the office action falls on Saturday, 11-15-2008, and the Applicant respectfully believes that this amendment/response being filed on the immediately following business day, namely, Monday, 11-17-2008, is timely filed in accordance with 37 C.F.R. § 1.7.

The Applicant respectfully requests reconsideration of the election/restriction pursuant to 37 C.F.R. § 1.143, provides the reasons therefore below, and provisionally elects claims 1-29 and 68-83.

The Applicant respectfully believes that no fees are due.